

U.S. COMMISSION ON CIVIL RIGHTS

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MEETING

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FRIDAY, SEPTEMBER 24, 2010

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The Commission convened in Room 540 at 624 Ninth Street, Northwest, Washington, D.C. at 2:00 p.m., GERALD A. REYNOLDS, Chairman, presiding.

PRESENT:

GERALD A. REYNOLDS, Chairman
TODD F. GAZIANO, Commissioner
GAIL L. HERIOT, Commissioner
PETER N. KIRSANOW, Commissioner
ARLAN D. MELENDEZ, Commissioner
MARTIN DANNENFELSER, Staff Director

STAFF PRESENT:

DAVID BLACKWOOD, General Counsel, OGC
CHRISTOPHER BYRNES, Director, RPCU
DEMITRIA DEAS
PAMELA A. DUNSTON, Chief, ASCD
LATRICE FOSHEE
TINALOUISE MARTIN, Director, OM
LENORE OSTROWSKY
JOHN RATCLIFFE
EILEEN RUDERT
KIMBERLY TOLHURST
AUDREY WRIGHT

COMMISSIONER ASSISTANTS PRESENT:

NICHOLAS COLTEN
ALEC DEULL
TIM FAY
DOMINIQUE LUDVIGSON
JOHN MARTIN
ALISON SCHMAUCH

TABLE OF CONTENTS

AGENDA	PAGE
I. Approval of Agenda	4
II. Program Planning	5
- Consideration of FY 2011 Enforcement Report Topic	5
- Consideration of Concept Paper for Briefing on the Department of Education's Investigation of Disparate Impact in Student Discipline	16
III. State Advisory Committee Issues	18
- Maine SAC	18
- New Mexico SAC	20
IV. Approval of Minutes of September 10 Meeting	22

1 P-R-O-C-E-E-D-I-N-G-S

2 (2:10 p.m.)

3 CHAIRMAN REYNOLDS: The meeting will come
4 to order. This is a meeting of the U.S. Commission on
5 Civil Rights. It is 2:11 on September 24th, 2010.

6 Commissioners Melendez, Kirsanow, Heriot,
7 and Gaziano are present. The meeting is being held at
8 624 9th Street, Northwest, room 540, Washington, D.C.

9 And Chairman Reynolds -- that is me -- is presiding.

10 We have some significant time constraints
11 as it relates to a quorum. So I am going to suggest
12 that we revise the agenda. My suggestion is that we
13 proceed with a discussion of the 2011 enforcement
14 report topic, the consideration of the concept paper
15 for the briefing on the Department of Education's
16 investigation of disparate impact in student
17 discipline and the state advisory committees. How
18 does that sound?

19 COMMISSIONER GAZIANO: Second. I agree.
20 Second. All in favor?

21 (Whereupon, there was a show of hands.)

22 CHAIRMAN REYNOLDS: Okay.

23 COMMISSIONER GAZIANO: We should mic up.
24 Gaziano seconds and fully agrees with said amended
25 agenda.

1 CHAIRMAN REYNOLDS: Okay. It doesn't
2 happen too often.

3 COMMISSIONER HERIOT: May I have a
4 clarification? Does that include discussion of the Cy
5 Pres?

6 COMMISSIONER GAZIANO: Yes. That was the
7 number two that he said on the agenda.

8 CHAIRMAN REYNOLDS: Yes.

9 COMMISSIONER HERIOT: Could it also
10 include the possibility of --

11 COMMISSIONER GAZIANO: Mic.

12 COMMISSIONER HERIOT: Could we also
13 include the possibility if we don't get through this
14 of adding another telephone conference?

15 CHAIRMAN REYNOLDS: Yes. Okay. On
16 September 5th, Commissioner --

17 COMMISSIONER GAZIANO: Can we vote to
18 approve the agenda?

19 COMMISSIONER HERIOT: Yes.

20 CHAIRMAN REYNOLDS: Okay.

21 COMMISSIONER HERIOT: It could be like we
22 --

23 I. APPROVAL OF AGENDA

24 CHAIRMAN REYNOLDS: All in favor say aye.

25 All in favor say aye.

1 (Whereupon, there was a chorus of "Ayes.")

2 CHAIRMAN REYNOLDS: Any objections?

3 (No response.)

4 CHAIRMAN REYNOLDS: Abstentions?

5 (No response.)

6 II. PROGRAM PLANNING

7 - CONSIDERATION OF FY 2011 ENFORCEMENT REPORT TOPIC

8 CHAIRMAN REYNOLDS: On September 20th,
9 Commissioner Heriot circulated a concept paper for a
10 proposed statutory enforcement report for 2011. Under
11 this concept paper, the Commission would investigate
12 the DOJ Civil Rights Division's use of settlement
13 agreements and consent decrees to direct payments to
14 charitable and advocacy organizations.

15 Previously Vice Chair Thernstrom proposed
16 that the Commission investigate the anti-Asian
17 violence at South Philadelphia High School with a
18 broader view into the inter-ethnic and interracial
19 student violence and the Department of Justice's role
20 in investigating these incidents, she circulated a
21 concept paper for this topic on May 7, 2010 and again
22 on September 20th, 2010. She has indicated that this
23 topic could be addressed as a briefing or as an
24 enforcement report.

25 I move that we adopt one of these topics

1 as our enforcement report for 2011. So let's have a
2 --

3 COMMISSIONER GAZIANO: Point of order, Mr.
4 Chairman. I think when you read the agenda, you were
5 going to talk about the amended time frame for
6 adopting the interim report first. And I don't mind
7 this other order, but may I inquire of Commissioner
8 Melendez how much time we have of his before he needs
9 to depart?

10 COMMISSIONER MELENDEZ: I have to leave by
11 3:30 at the latest.

12 COMMISSIONER GAZIANO: Okay. That's fine,
13 then. We can proceed with this. I have no objection.

14 CHAIRMAN REYNOLDS: Okay. Is there a
15 second?

16 COMMISSIONER GAZIANO: Second.

17 COMMISSIONER HERIOT: What was the motion?

18 COMMISSIONER GAZIANO: That we adopt one
19 of the topics, --

20 CHAIRMAN REYNOLDS: One of the topics.

21 COMMISSIONER GAZIANO: -- the 2011 report,
22 we adopt one of the two topics, either yours --

23 COMMISSIONER HERIOT: Why do we need a
24 motion for that? Why don't we just pick a topic?

25 COMMISSIONER GAZIANO: A friendly

1 amendment. I move that we adopt the Cy Pres topic as
2 our 2011 report, discussion to follow.

3 CHAIRMAN REYNOLDS: My motion. I accept
4 that as a friendly amendment. Discussion?

5 COMMISSIONER MELENDEZ: Yes. What about
6 the input of the other commissioners that are not
7 here? How does that happen?

8 COMMISSIONER HERIOT: We've been talking
9 about this for months now.

10 COMMISSIONER MELENDEZ: I'm sure they're
11 going to raise the question.

12 COMMISSIONER GAZIANO: I suppose they
13 could overrule the decision we make today.

14 COMMISSIONER HERIOT: They have to get a
15 majority vote.

16 CHAIRMAN REYNOLDS: Well, my view is that
17 the folks who are present, they are the shot callers.

18 The majority of the commissioners present make the
19 decision.

20 This topic was known to all. Everyone
21 know that we were going to have this discussion. And,
22 for various reasons, commissioners, some
23 commissioners, weren't able to remain.

24 So I don't think that we should postpone
25 the vote on these issues. We can revisit it if need

1 be, obviously, but I think we should adopt one of the
2 two -- well, we should vote on this or agree to.

3 COMMISSIONER HERIOT: We're tardy already
4 in the sense that ordinarily we like to have a topic
5 already.

6 CHAIRMAN REYNOLDS: Agreed.

7 COMMISSIONER GAZIANO: Could I ask the
8 staff director and the general counsel if they have an
9 opinion to comment on how far behind we are already at
10 and whether it would be, you know, preparation for
11 next year would be, implicated if we delay again?

12 STAFF DIRECTOR DANNENFELSER: Well, we're
13 behind where we ideally would be. And so the more it
14 can be expedited the better.

15 CHAIRMAN REYNOLDS: We're behind. We're
16 behind, and this would add to the delay. Discussion?

17 COMMISSIONER MELENDEZ: My point is that
18 if this is a major report for next year and it's not
19 even a briefing and we don't have the other
20 commissioners, Yaki and Thernstrom and anybody else, I
21 think that --

22 COMMISSIONER HERIOT: Well, they have
23 chosen not to make themselves available.

24 COMMISSIONER MELENDEZ: I'm just saying
25 that I think that is an important topic like this

1 should have all of us voting on it.

2 COMMISSIONER HERIOT: They obviously
3 didn't think so or they wouldn't have left.

4 CHAIRMAN REYNOLDS: Commissioner Melendez?

5 COMMISSIONER MELENDEZ: They left because
6 of whatever their reasons are, that some were on
7 C-SPAN or whatever. Ashley Taylor and Michael went to
8 do that. So I'm sure they've got conflicting reasons
9 why they couldn't stay for this.

10 COMMISSIONER GAZIANO: Do you know if
11 Commissioner Yaki is coming back in the next half an
12 hour?

13 COMMISSIONER MELENDEZ: I doubt it. He
14 didn't say anything. Everybody just --

15 COMMISSIONER GAZIANO: If it's just a
16 matter of a half an hour, maybe we can flip the
17 agenda.

18 COMMISSIONER MELENDEZ: Yes.

19 COMMISSIONER GAZIANO: But we were
20 prepared I think to vote on this last month. We have
21 discussed it for two months in a row. We are going to
22 do it at a teleconference. But in deference to Vice
23 Chair Thernstrom, she wanted to do it at an in-person.
24 At their request, we keep postponing this.

25 If I knew that Commissioner Yaki was going

1 to be here in a half an hour, then I would move to
2 reorder our agenda today, but we really do need to
3 vote on this today.

4 COMMISSIONER HERIOT: It's also the case
5 that it probably is very unlikely to change the
6 result. So if it looks like it would have changed the
7 result, if somebody who would have voted in the
8 majority or somebody who was absent could form a
9 majority, then I would be happy to readdress the
10 question.

11 CHAIRMAN REYNOLDS: Okay. How about this?
12 I will commit to if one of the absent commissioners
13 would like to revisit this and to vote on it again at
14 a future hearing as one of the folks who are likely to
15 vote for this motion, I would move to reopen it.

16 COMMISSIONER MELENDEZ: Okay. I just
17 received this, Gail Heriot's paper here. How does it
18 play into this whole issue we're talking about here?
19 Is this something different?

20 CHAIRMAN REYNOLDS: I believe --

21 STAFF DIRECTOR DANNENFELSER: She has two.
22 She has one that is the enforcement report topic, and
23 one is a proposed briefing report topic.

24 CHAIRMAN REYNOLDS: And which one is that?

25 COMMISSIONER MELENDEZ: Okay. This is the

1 potential misuse of settlement agreements.

2 STAFF DIRECTOR DANNENFELSER: That's the
3 enforcement report.

4 CHAIRMAN REYNOLDS: Okay. So that is the
5 item that we're talking about.

6 COMMISSIONER MELENDEZ: Okay. So I
7 haven't even really reread this yet. I don't know
8 about the other commissioners.

9 CHAIRMAN REYNOLDS: When was it
10 distributed?

11 STAFF DIRECTOR DANNENFELSER: Monday?

12 COMMISSIONER HERIOT: Monday.

13 COMMISSIONER MELENDEZ: Okay. I just
14 received it from my assistant just now. So I don't
15 know when.

16 CHAIRMAN REYNOLDS: That's an issue for a
17 performance evaluation.

18 (Laughter.)

19 COMMISSIONER GAZIANO: He's brought
20 excellent pastries. He's brought excellent pastries.
21 He needs to be recognized.

22 CHAIRMAN REYNOLDS: Okay. As I said, I
23 would vote. As someone who is likely to vote for
24 this, I would vote with those commissioners who would
25 like to reopen this.

1 COMMISSIONER HERIOT: Does that mean that
2 there is no point in voting at this point and that
3 what you're saying is that --

4 COMMISSIONER GAZIANO: You vote to
5 reconsider the discussion, but you wouldn't
6 necessarily --

7 CHAIRMAN REYNOLDS: Right.

8 STAFF DIRECTOR DANNENFELSER: If there's
9 not a vote to reconsider, it would be passed, right?

10 CHAIRMAN REYNOLDS: Right.

11 STAFF DIRECTOR DANNENFELSER: Is that what
12 you're saying?

13 CHAIRMAN REYNOLDS: Right, right.

14 STAFF DIRECTOR DANNENFELSER: Yes.

15 CHAIRMAN REYNOLDS: We would vote on it
16 today. And, like any motion --

17 COMMISSIONER HERIOT: I take it what
18 you're saying is that you would be willing to
19 reconsider it if it appeared that a majority would
20 want to change the topic, not simply for the ability
21 to take up hours of discussion in a meeting.

22 CHAIRMAN REYNOLDS: No. I am saying that
23 I would make the motion to reopen discussion on the
24 topic. That's no more than --

25 COMMISSIONER GAZIANO: And it would still

1 have to get a majority --

2 CHAIRMAN REYNOLDS: Yes.

3 COMMISSIONER GAZIANO: -- to proceed to
4 reconsideration.

5 CHAIRMAN REYNOLDS: Yes.

6 COMMISSIONER MELENDEZ: Mr. Chairman, my
7 position is that that is the reason I don't want to
8 break quorum and I wanted to address some issues so
9 that we could move this agenda, but if we got into
10 issues that I think that Commissioner Yaki or Abigail
11 have a problem with, then I will break quorum now
12 because I just want to move the agenda to get to the
13 SACs because I stayed the extra hour. But if it's
14 going to be one of these issues where I don't agree
15 with it, then I'll go ahead and break the quorum now.

16 So you decide what you want to do.

17 CHAIRMAN REYNOLDS: Do you feel the same
18 way about the --

19 COMMISSIONER MELENDEZ: Because it could
20 have been the same position with the Black Panther
21 Party enforcement report. I didn't know where you
22 were going to go with that. But if you would have
23 said we're going to vote on that one also, I would
24 have probably found that --

25 COMMISSIONER GAZIANO: Could we move that

1 one? And I was going to --

2 CHAIRMAN REYNOLDS: Do you feel the same
3 way on the briefing report?

4 COMMISSIONER MELENDEZ: I don't want to
5 get into the controversial issues. The reason I'm
6 staying is so that we could move some of the things --

7 CHAIRMAN REYNOLDS: I'm talking about the
8 next item on the agenda.

9 COMMISSIONER MELENDEZ: No. I'm fine with
10 the next item on the agenda. I just don't want to get
11 into --

12 CHAIRMAN REYNOLDS: Okay.

13 COMMISSIONER GAZIANO: The next item is
14 the schedule for the -- I was going to move,
15 Commissioner Melendez, to postpone adoption of the
16 interim report and allow the general counsel
17 essentially ten days to incorporate the new material
18 from today to October 11.

19 I will have some dates from the general
20 counsel that he seemed -- and then we will have until
21 close of business, October 11th to get comments back
22 to him.

23 He would have until close of business
24 October 15th to get a report, new version, back to us.
25 And then I would propose that our final vote is on

1 October 22nd.

2 Would you consider a discussion of that
3 topic --

4 COMMISSIONER MELENDEZ: Sure. That would
5 be fine.

6 COMMISSIONER GAZIANO: -- to postpone the
7 report?

8 COMMISSIONER MELENDEZ: That would be
9 fine.

10 COMMISSIONER GAZIANO: Can we move to that
11 topic?

12 CHAIRMAN REYNOLDS: I second it.
13 Discussion?

14 COMMISSIONER GAZIANO: Okay. I hereby
15 move.

16 CHAIRMAN REYNOLDS: I second it.

17 COMMISSIONER GAZIANO: Okay.

18 CHAIRMAN REYNOLDS: Discussion?

19 COMMISSIONER GAZIANO: The only thing I
20 would like to add to my motion is that if we have any
21 other comments on the current version that the general
22 counsel got to us that we also get those to him as
23 soon as humanly possible but before a week from today
24 so that he could incorporate those into the October
25 4th draft. And other than that, I think that's my

1 piece. And we would vote on October 22nd at the
2 scheduled teleconference.

3 CHAIRMAN REYNOLDS: Okay. All in favor
4 please say aye.

5 (Whereupon, there was a chorus of "Ayes.")

6 CHAIRMAN REYNOLDS: Objections?

7 (No response.)

8 CHAIRMAN REYNOLDS: Abstentions?

9 (No response.)

10 CHAIRMAN REYNOLDS: The motion passes
11 unanimously.

12 - CONSIDERATION OF CONCEPT PAPER FOR BRIEFING ON
13 THE DEPARTMENT OF EDUCATION'S INVESTIGATION OF
14 DISPARATE IMPACT IN STUDENT DISCIPLINE

15 CHAIRMAN REYNOLDS: Next up I move to
16 approve a briefing on the Department of Education's
17 investigation into disparate racial impact in student
18 discipline. This briefing would be held pursuant to
19 the concept paper distributed on September 20th, 2010
20 to all commissioners. Is there a second?

21 COMMISSIONER HERIOT: Second.

22 CHAIRMAN REYNOLDS: Discussion?

23 COMMISSIONER GAZIANO: Could we set the
24 target date for that briefing to be January?

25 COMMISSIONER HERIOT: Or do you want

1 February?

2 COMMISSIONER KIRSANOW: I don't care. You
3 as the author of the concept paper --

4 COMMISSIONER HERIOT: Anybody have any
5 preference?

6 CHAIRMAN REYNOLDS: I have a very strong
7 preference.

8 COMMISSIONER GAZIANO: As between those
9 two months.

10 CHAIRMAN REYNOLDS: Never mind. Just
11 ignore me.

12 (Laughter.)

13 COMMISSIONER HERIOT: January is fine with
14 me.

15 CHAIRMAN REYNOLDS: January it is.

16 COMMISSIONER GAZIANO: We can always
17 postpone it an extra month if it's not ready for
18 January.

19 COMMISSIONER HERIOT: Yes. January with
20 staff discretion to postpone it until February if that
21 is needed.

22 CHAIRMAN REYNOLDS: Okay.

23 STAFF DIRECTOR DANNENFELSER: We're
24 talking about a briefing.

25 COMMISSIONER GAZIANO: Yes, a briefing.

1 COMMISSIONER HERIOT: We're talking about
2 a briefing.

3 STAFF DIRECTOR DANNENFELSER: All right.
4 Okay.

5 CHAIRMAN REYNOLDS: Okay. All in favor
6 please say aye.

7 (Whereupon, there was a chorus of "Ayes.")

8 CHAIRMAN REYNOLDS: Objections?

9 (No response.)

10 CHAIRMAN REYNOLDS: Abstentions?

11 (No response.)

12 CHAIRMAN REYNOLDS: Motion passes
13 unanimously.

14 III. STATE ADVISORY COMMITTEE ISSUES

15 - MAINE SAC

16 CHAIRMAN REYNOLDS: Next up is the
17 rechartering of the Maine and New Mexico SACs. The
18 meeting binder distributed by the staff director on
19 September 16th contained a recommended list of
20 candidates for the Maine State Advisory Committee.

21 I move that the Commission recharter the
22 Maine State Advisory Committee. Under this motion,
23 the Commission appoints the following individuals to
24 that Committee based on the recommendations of the
25 staff director: William Baker, Joanne D'Arcangelo,

1 Amanda Doherty, Frank Heller, Diane Khiel, Caitlin
2 LoCascio-King, Donna Loring, Philippe Nadeau, Michael
3 Palmer, Rachel Talbot Ross, Elisabeth Stickney, and
4 Richard Traynor.

5 Pursuant to this motion, the Commission
6 appoints Mr. Palmer as the chair of the newly
7 rechartered Maine Advisory Committee. These members
8 will serve as uncompensated government employees.

9 Upon this motion, the Commission
10 authorizes the staff director to execute the
11 appropriate paperwork for the appointments. Is there
12 a second?

13 COMMISSIONER HERIOT: Second.

14 CHAIRMAN REYNOLDS: Discussion?

15 (No response.)

16 CHAIRMAN REYNOLDS: All those in favor
17 please say aye.

18 (Whereupon, there was a chorus of "Ayes.")

19 CHAIRMAN REYNOLDS: Objections?

20 (No response.)

21 CHAIRMAN REYNOLDS: Abstentions?

22 (No response.)

23 CHAIRMAN REYNOLDS: The motion passes
24 unanimously.

25 - NEW MEXICO SAC

1 CHAIRMAN REYNOLDS: Next up is the New
2 Mexico State Advisory Committee. The meeting binder
3 distributed by the staff director, it contained the --
4 that was distributed on September 16th, contained the
5 recommended list of candidates for this particular
6 SAC.

7 I move that the Commission recharter the
8 New Mexico State Advisory Committee. Under this
9 motion, the Commission appoints the following
10 individuals: John Agresto, George Bach, Patrick
11 Collins, D. Kent Evans, Pamela Evans, Paul Gessing,
12 Wade Jackson, Valerie Webb Jaramillo, Robert Martinez,
13 Roger Michener, Hilary Noskin, Sandra Rodriguez,
14 Harold Stratton, and Damon Tobias.

15 Pursuant to this motion, the Commission
16 appoints John Agresto as Chair of the newly
17 rechartered New Mexico Advisory Committee. As is
18 always the case, the members will serve as
19 uncompensated government employees. And the motion
20 also authorizes the staff director to execute the
21 necessary paperwork for the appointment. Is there a
22 second?

23 COMMISSIONER GAZIANO: I second.

24 CHAIRMAN REYNOLDS: Discussion?

25 COMMISSIONER MELENDEZ: Mr. Chairman, I

1 think there's just an imbalance. I think there are
2 more men on here. There are only four ladies. I've
3 always had a concern on the balance there.

4 CHAIRMAN REYNOLDS: Okay. Mr. Staff
5 Director, would you please describe the outreach?

6 STAFF DIRECTOR DANNENFELSER: Well, there
7 was considerable outreach to many different
8 organizations, including organizations that were
9 primarily women.

10 Since this package was first constructed
11 and circulated back in July, we have recruited another
12 woman to serve, which was Sandra Rodriguez. And there
13 were some efforts with some additional people. And we
14 did at one point believe that at least one other woman
15 was going to apply, but she did not wind up applying.

16 So we would like to see greater
17 representation, but we do feel that on balance, it is
18 a very well-qualified group of people.

19 CHAIRMAN REYNOLDS: Is there viewpoint
20 diversity?

21 STAFF DIRECTOR DANNENFELSER: Yes. I
22 think it's a very closely balanced SAC and diverse
23 viewpoints involved there.

24 CHAIRMAN REYNOLDS: And you're comfortable
25 that our net was sufficiently broad?

1 STAFF DIRECTOR DANNENFELSER: Yes.

2 CHAIRMAN REYNOLDS: Commissioner Melendez?

3 COMMISSIONER MELENDEZ: That's all I had.

4 CHAIRMAN REYNOLDS: Okay. All of those in
5 favor please say aye.

6 (Whereupon, there was a chorus of "Ayes.")

7 CHAIRMAN REYNOLDS: Objections?

8 (No response.)

9 CHAIRMAN REYNOLDS: Abstentions?

10 COMMISSIONER MELENDEZ: Abstain, one.

11 CHAIRMAN REYNOLDS: Okay. Let the record
12 reflect that Commissioner Melendez abstains. The
13 remaining commissioners vote in favor of the motion.
14 The motion passes.

15 IV. APPROVAL OF MINUTES OF SEPTEMBER 10 MEETING

16 CHAIRMAN REYNOLDS: Since we have a little
17 more time here, let's tackle the approval of the
18 September 10th meeting minutes. I move that we
19 approve them. Is there a second?

20 COMMISSIONER GAZIANO: Second.

21 CHAIRMAN REYNOLDS: Discussion? Any
22 discussion?

23 (No response.)

24 CHAIRMAN REYNOLDS: Okay. All those in
25 favor please say aye.

1 (Whereupon, there was a chorus of "Ayes.")

2 CHAIRMAN REYNOLDS: Objections?

3 (No response.)

4 CHAIRMAN REYNOLDS: Abstentions?

5 COMMISSIONER KIRSANOW: Abstain.

6 COMMISSIONER HERIOT: Abstain.

7 CHAIRMAN REYNOLDS: We have two
8 abstentions: Commissioners Heriot and Kirsanow.
9 Three. The motion passes.

10 COMMISSIONER HERIOT: Mr. Chairman? One
11 issue that I wanted to talk about was that four
12 members of the Commission yesterday sent a letter to
13 leadership of the United States Senate, as you know,
14 on the Paycheck Fairness Act. And I would like to
15 make that letter a Commission letter.

16 I know that Commissioner Taylor was
17 interested in signing but did not have time to review
18 it last time. With Commissioner Taylor not here, I
19 don't want to do that right now, but I would like to
20 have that letter made an official Commission letter at
21 our next telephone conference.

22 COMMISSIONER GAZIANO: Why don't we do
23 this? Why don't we vote to make it an official
24 Commission letter -- we have done this before -- if it
25 secures a majority ascent.

1 COMMISSIONER HERIOT: That makes sense.
2 Yes. Why don't we do that?

3 COMMISSIONER GAZIANO: Those of us today
4 can vote --

5 CHAIRMAN REYNOLDS: That's your motion?

6 COMMISSIONER HERIOT: Yes, that's my
7 motion.

8 CHAIRMAN REYNOLDS: I second it.
9 Discussion?

10 COMMISSIONER HERIOT: That way we can get
11 it out to everybody as it went out.

12 CHAIRMAN REYNOLDS: All of those in favor
13 please say aye.

14 (Whereupon, there was a chorus of "Ayes.")

15 CHAIRMAN REYNOLDS: Objections?

16 COMMISSIONER MELENDEZ: Oppose, one.

17 CHAIRMAN REYNOLDS: Any abstentions?

18 (No response.)

19 CHAIRMAN REYNOLDS: Let the record reflect
20 that Commissioner Melendez voted against the motion.
21 The motion passes.

22 Anything else we have enough time to
23 tackle?

24 (No response.)

25 CHAIRMAN REYNOLDS: Okay. The meeting is

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adjourned.

(Whereupon, the foregoing matter was
concluded at 2:30 p.m.)

A	<p>appeared 12:19 apply 21:15 applying 21:15 appointment 20:21 appointments 19:11 appoints 18:23 19:6 20:9,16 appropriate 19:11 approval 2:3,12 4:23 22:15,17 approve 4:18 16:16 22:19 ARLAN 1:12 ASCD 1:16 ascent 23:25 Ashley 9:7 assistant 11:14 ASSISTANTS 1:21 AUDREY 1:20 author 17:3 authorizes 19:10 20:20 available 8:23 aye 4:24,25 16:4 18:6 19:17 22:5 22:25 24:13 Ayes 5:1 16:5 18:7 19:18 22:6 23:1 24:14</p>	<p>5:23 8:19 10:23 14:3 16:12,16,18 16:24 17:24,25 18:2 broad 21:25 broader 5:18 brought 11:19,20 business 14:21,23 BYRNES 1:15</p>	<p>1:15 circulated 5:9,20 21:11 Civil 1:1 3:5 5:12 clarification 4:4 close 14:21,23 closely 21:22 Collins 20:11 COLTEN 1:22 come 3:3 comfortable 21:24 coming 9:11 comment 8:9 comments 14:21 15:21 Commission 1:1,7 3:4 5:11,16 18:21 18:23 19:5,9 20:7 20:9,15 23:12,15 23:20,24 Commissioner 1:10,11,11,12,21 3:19,23 4:3,6,9,11 4:12,16,17,19,21 5:9 6:3,7,10,12,16 6:17,18,21,23,25 7:5,8,10,12,14 8:3 8:7,17,22,24 9:2,4 9:5,10,11,13,15 9:18,19,25 10:4 10:16,25 11:6,12 11:13,19 12:1,4 12:17,25 13:3,6 13:10,19,25 14:4 14:9,13,15 15:4,6 15:8,10,14,17,19 16:21,23,25 17:2 17:4,8,13,16,19 17:25 18:1 19:13 20:23,25 22:2,3 22:10,12,20 23:5 23:6,10,16,18,22 24:1,3,6,10,16,20 commissioners 3:6 7:6,18,22,23 8:20 10:12 11:8,24 16:20 22:13 23:8</p>	<p>commit 10:12 Committee 2:9 18:14,20,22,24 19:7 20:2,8,17 committees 3:17 concept 2:6 3:14 5:9,11,21 16:12 16:19 17:3 concern 21:3 concluded 25:3 conference 4:14 23:21 conflicting 9:8 consent 5:13 consider 15:2 considerable 21:7 consideration 2:5,6 3:14 5:7 16:12 constraints 3:10 constructed 21:10 contained 18:19 20:3,4 CONTENTS 2:1 controversial 14:5 convened 1:7 counsel 1:15 8:8 14:16,20 15:22 current 15:21 Cy 4:4 7:1 C-SPAN 9:7</p>
B	<p>Bach 20:10 back 9:11 14:21,24 21:11 Baker 18:25 balance 21:3,17 balanced 21:22 based 18:24 believe 10:20 21:14 better 8:14 binder 18:18 20:2 Black 13:20 BLACKWOOD 1:15 break 13:8,11,15 briefing 2:7 3:15</p>	<p>Caitlin 19:1 callers 7:17 candidates 18:20 20:5 care 17:2 case 10:4 20:18 chair 5:15 9:23 19:6 20:16 Chairman 1:8,10 3:3,9,22 4:1,8,15 4:20,24 5:2,4,8 6:4,14,20 7:3,16 8:6,15 9:4 10:11 10:20,24 11:4,9 11:16,22 12:7,10 12:13,15,22 13:2 13:5,6,17 14:2,7 14:12 15:12,16,18 16:3,6,8,10,15,22 17:6,10,15,22 18:5,8,10,12,16 19:14,16,19,21,23 20:1,24,25 21:4 21:19,24 22:2,4,7 22:9,11,16,21,24 23:2,4,7,10 24:5,8 24:12,15,17,19,25 change 10:5 12:20 changed 10:6 charitable 5:14 Chief 1:16 chorus 5:1 16:5 18:7 19:18 22:6 23:1 24:14 chosen 8:23 CHRISTOPHER</p>	<p>C</p>	D
<p>Abigail 13:10 ability 12:20 able 7:23 absent 10:8,12 Abstain 22:10 23:5 23:6 abstains 22:12 abstentions 5:4 16:8 18:10 19:21 22:9 23:4,8 24:17 accept 7:3 Act 23:14 add 8:16 15:20 adding 4:14 additional 21:13 address 13:8 addressed 5:23 adjourned 25:1 adopt 5:25 6:18,22 7:1 8:1 adopting 6:6 adoption 14:15 advisory 2:9 3:17 18:14,20,22 19:7 20:2,8,17 advocacy 5:14 agenda 2:2,3 3:12 3:25 4:7,18,23 6:4 9:17 10:2 13:9,12 14:8,10 agree 3:19 8:2 13:14 Agreed 8:6 agreements 5:13 11:1 agrees 3:24 Agresto 20:10,16 ahead 13:15 ALEC 1:22 ALISON 1:24 allow 14:16 Amanda 19:1 amended 3:24 6:5 amendment 7:1,4 anti-Asian 5:16 anybody 8:20 17:4</p>	<p>B</p>	<p>D</p>	<p>D 1:12 20:11 Damon 20:14 DANNENFELS... 1:13 8:12 10:21 11:2,11 12:8,11 12:14 17:23 18:3 21:6,21 22:1 date 16:24 dates 14:19 DAVID 1:15 days 14:17 DEAS 1:16 decide 13:16 decision 7:13,19 decrees 5:13</p>	

deference 9:22		four 21:2 23:11	8:22 9:2 10:4	13:10,14 14:5
delay 8:11,16		frame 6:5	11:12 12:1,17	18:14
DEMITRIA 1:16	E	Frank 19:1	16:21,25 17:4,13	item 11:5 14:8,10
depart 6:9	Education's 2:7	FRIDAY 1:5	17:19 18:1 19:13	14:13
Department 2:7	3:15 16:13,16	friendly 6:25 7:4	23:6,8,10 24:1,6	IV 2:12 22:15
3:15 5:19 16:13	efforts 21:13	fully 3:24	24:10	
16:16	EILEEN 1:19	future 10:14	Heriot's 10:17	J
describe 21:5	either 6:22	FY 2:5 5:7	High 5:17	Jackson 20:12
DEULL 1:22	Elisabeth 19:3		Highly 20:13	January 16:24
Diane 19:1	employees 19:8		hour 9:12,16 10:1	17:13,15,18,19
different 10:19	20:19	G	13:13	Jaramillo 20:12
21:7	enforcement 2:5	Gail 1:11 10:17	hours 12:21	Joanne 18:25
direct 5:13	3:13 5:7,10,24 6:1	Gaziano 1:10 3:7	humanly 15:23	John 1:18,24 20:10
director 1:13,15,17	10:22 11:3 13:21	3:19,23,24 4:6,11		20:16
8:8,12 10:21 11:2	essentially 14:17	4:17 6:3,12,16,18	I	July 21:11
11:11 12:8,11,14	evaluation 11:17	6:21,25 7:12 8:7	ideally 8:13	Justice's 5:19
17:23 18:3,18,25	Evans 20:11,11	9:10,15,19 11:19	ignore 17:11	
19:10 20:3,20	everybody 9:14	12:4,25 13:3,25	II 2:4 5:6	K
21:5,6,21 22:1	24:11	14:13 15:6,10,14	III 2:9 18:14	keep 9:24
discipline 2:8 3:17	excellent 11:20,20	15:17,19 16:23	imbalance 21:1	Kent 20:11
16:14,18	execute 19:10	17:8,16,25 20:23	impact 2:8 3:16	Khiel 19:1
discretion 17:20	20:20	22:20 23:22 24:3	16:14,17	KIMBERLY 1:19
discussed 9:21	expedited 8:14	general 1:15 8:8	implicated 8:11	Kirsanow 1:11 3:6
discussion 3:13 4:4	extra 13:13 17:17	14:16,19 15:21	important 8:25	17:2 23:5,8
7:2,4,21 8:16 12:5	F	George 20:10	incidents 5:20	knew 9:25
12:21,23 15:2,13	F 1:10	GERALD 1:8,10	include 4:4,10,13	know 7:21 8:10
15:18 16:22 19:14	Fairness 23:14	Gessing 20:11	including 21:8	9:10 11:7,15
20:24 22:21,22	far 8:9	go 13:15,22	incorporate 14:17	13:21 23:13,16
24:9	favor 3:20 4:24,25	going 3:11 6:5 7:11	15:24	known 7:20
disparate 2:8 3:16	16:3 18:5 19:16	7:21 9:21,25	indicated 5:22	
16:14,17	22:5,13,25 24:12	13:14,22,23 14:1	individuals 18:23	L
distributed 11:10	FAY 1:23	14:14 21:15	20:10	L 1:11
16:19 18:18 20:3	February 17:1,20	government 19:8	input 7:6	ladies 21:2
20:4	21:17	20:19	inquire 6:7	latest 6:11
diverse 21:22	final 14:25	greater 21:16	interested 23:17	LATRICE 1:17
diversity 21:20	fine 6:12 14:9 15:5	group 21:18	interim 6:6 14:16	Laughter 11:18
Division's 5:12	15:9 17:13		interracial 5:18	17:12
Doherty 19:1	first 6:6 21:10	H	inter-ethnic 5:18	leadership 23:13
DOJ 5:12	flip 9:16	half 9:11,16 10:1	investigate 5:11,16	leave 6:10
DOMINIQUE 1:23	folks 7:17 10:14	hands 3:21	investigating 5:20	left 9:3,5
Donna 19:2	follow 7:2	happen 4:2 7:7	investigation 2:7	LENORE 1:18
doubt 9:13	following 18:23	happy 10:9	3:16 16:13,17	letter 23:12,15,15
draft 15:25	20:9	Harold 20:14	involved 21:23	23:20,20,24
DUNSTON 1:16	foregoing 25:2	hearing 10:14	in-person 9:23	let's 6:1 22:17
D'Arcangelo 18:25	form 10:8	held 3:7 16:18	issue 10:18 11:16	list 18:19 20:5
D.C 1:7 3:8	FOSHEE 1:17	Heller 19:1	23:11	little 22:16
	found 13:24	Heriot 1:11 3:6 4:3	issues 2:9 7:25 13:8	LoCascio-King
		4:9,12,19,21 5:9		19:2
		6:17,23 7:8,14 8:3		

looks 10:6	15:20 16:10 18:12	22:4,11,24 24:25	point 6:3 8:17 12:2	really 10:2 11:7
Loring 19:2	18:22 19:5,9,23	OM 1:17	12:2 21:14	reason 13:7 14:5
LUDVIGSON 1:23	20:9,15,19 22:13	opinion 8:9	position 13:7,20	reasons 7:22 9:6,8
<hr/> M <hr/>	22:14 23:9 24:5,7	Oppose 24:16	possibility 4:10,13	received 10:17
Maine 2:10 18:15	24:20,21	order 3:4 6:3,7	possible 15:23	11:14
18:17,20,22 19:7	move 5:25 7:1 10:1	ordinarily 8:4	postpone 7:24	recharter 18:21
major 8:18	10:15 13:9,12,25	organizations 5:14	14:15 15:6 17:17	20:7
majority 7:15,18	14:6,14 15:10,15	21:8,8	17:20	rechartered 19:7
10:8,9 12:19 13:1	16:15 18:21 20:7	OSTROWSKY	postponing 9:24	20:17
23:25	22:18	1:18	potential 11:1	rechartering 18:17
MARTIN 1:13,17	<hr/> N <hr/>	outreach 21:5,7	preference 17:5,7	recognized 11:21
1:24	N 1:11	overrule 7:13	preparation 8:10	recommendations
Martinez 20:12	Nadeau 19:2	<hr/> P <hr/>	prepared 9:20	18:24
material 14:17	necessarily 12:6	package 21:10	Pres 4:5 7:1	recommended
matter 9:16 25:2	necessary 20:21	PAGE 2:2	present 1:9,14,21	18:19 20:5
mean 12:1	need 6:23 7:25 10:2	Palmer 19:3,6	3:7 7:17,18	reconsider 12:5,9
meeting 1:3 2:13	needed 17:21	Pamela 1:16 20:11	presiding 1:8 3:9	12:19
3:3,4,7 12:21	needs 6:8 11:21	Panther 13:20	Previously 5:15	reconsideration
18:18 20:2 22:15	net 21:25	paper 2:6 3:14 5:9	primarily 21:9	13:4
22:18 24:25	Never 17:10	5:11,21 10:17	probably 10:5	record 22:11 24:19
Melendez 1:12 3:6	new 2:11 14:17,24	16:12,19 17:3	13:24	recruited 21:11
6:8,10 7:5,10 8:17	18:17 19:25 20:1	paperwork 19:11	problem 13:11	reflect 22:12 24:19
8:24 9:4,5,13,18	20:8,17	20:21	proceed 3:13 6:13	relates 3:11
10:16,25 11:6,13	newly 19:6 20:16	particular 20:5	13:3	remain 7:23
13:6,19 14:4,9,15	NICHOLAS 1:22	Party 13:21	Program 2:4 5:6	remaining 22:13
15:4,8 20:25 22:2	Ninth 1:7	passed 12:9	propose 14:25	reopen 10:15 11:25
22:3,10,12 24:16	Northwest 1:7 3:8	passes 16:10 18:12	proposed 5:10,15	12:23
24:20	Noskin 20:13	19:23 22:14 23:9	10:23	reorder 10:2
members 19:7	number 4:7	24:21	pursuant 16:18	report 2:5 3:14 5:7
20:18 23:12	<hr/> O <hr/>	pastries 11:20,20	19:5 20:15	5:10,24 6:1,6,21
men 21:2	objection 6:13	Patrick 20:10	P-R-O-C-E-E-D-...	7:2 8:18 10:22,23
Mexico 2:11 18:17	objections 5:2 16:6	Paul 20:11	3:1	11:3 13:21 14:3
19:25 20:2,8,17	18:8 19:19 22:7	Paycheck 23:14	p.m 1:8 3:2 25:3	14:16,24 15:7
mic 3:23 4:11	23:2 24:15	payments 5:13	<hr/> Q <hr/>	representation
Michael 9:7 19:2	obviously 8:1 9:2	people 21:13,18	question 7:11	21:17
Michener 20:13	October 14:18,21	performance 11:17	10:10	request 9:24
mind 6:6 17:10	14:24 15:1,24	PETER 1:11	quorum 3:11 13:8	reread 11:7
minutes 2:12 22:15	16:1	Philadelphia 5:17	13:11,15	response 5:3,5 16:7
22:18	official 23:20,23	Philippe 19:2	<hr/> R <hr/>	16:9 18:9,11
misuse 11:1	OGC 1:15	pick 6:24	Rachel 19:3	19:15,20,22 22:8
Monday 11:11,12	Okay 3:22 4:1,15	piece 16:1	racial 16:17	22:23 23:3 24:18
month 9:20 17:17	4:20 6:12,14	Planning 2:4 5:6	raise 7:11	24:24
months 7:9 9:21	10:11,16,25 11:4	play 10:18	RATCLIFFE 1:18	result 10:6,7
17:9	11:6,13,22 14:12	please 16:4 18:6	read 6:4	review 23:17
motion 6:17,24 7:3	15:14,17 16:3	19:17 21:5 22:5	readdress 10:9	revise 3:12
10:15 12:16,23	17:22 18:4,5 21:4	22:25 24:13	ready 17:17	revisit 7:25 10:13
				Reynolds 1:8,10

3:3,9,22 4:1,8,15 4:20,24 5:2,4,8 6:14,20 7:3,16 8:6 8:15 9:4 10:11,20 10:24 11:4,9,16 11:22 12:7,10,13 12:15,22 13:2,5 13:17 14:2,7,12 15:12,16,18 16:3 16:6,8,10,15,22 17:6,10,15,22 18:5,8,10,12,16 19:14,16,19,21,23 20:1,24 21:4,19 21:24 22:2,4,7,9 22:11,16,21,24 23:2,4,7 24:5,8,12 24:15,17,19,25	16:20,21 19:12,13 20:22,23 22:19,20 24:8 seconds 3:24 secures 23:25 see 21:16 Senate 23:13 sense 8:4 24:1 sent 23:12 September 1:5 2:12 3:5 4:16 5:8 5:22 16:19 18:19 20:4 22:15,18 serve 19:8 20:18 21:12 set 16:23 settlement 5:12 11:1 shot 7:17 show 3:21 significant 3:10 signing 23:17 simply 12:20 somebody 10:7,8 soon 15:23 sound 3:18 South 5:17 staff 1:13,14 8:8,12 10:21 11:2,11 12:8,11,14 17:20 17:23 18:3,18,25 19:10 20:3,20 21:4,6,21 22:1 state 2:9 3:17 18:14 18:20,22 20:2,8 States 23:13 statutory 5:10 stay 9:9 stayed 13:13 staying 14:6 Stickney 19:3 Stratton 20:14 Street 1:7 3:8 strong 17:6 student 2:8 3:16 5:19 16:14,17 sufficiently 21:25	suggest 3:11 suggestion 3:12 suppose 7:12 sure 7:10 9:8 15:4 <hr/> T <hr/> TABLE 2:1 tackle 22:17 24:23 take 12:17,21 Talbot 19:3 talk 6:5 23:11 talking 7:8 10:18 11:5 14:7 17:24 18:1 tardy 8:3 target 16:24 Taylor 9:7 23:16 23:18 teleconference 9:22 16:2 telephone 4:14 23:21 ten 14:17 Thernstrom 5:15 8:20 9:23 thing 15:19 things 14:6 think 6:4 7:24 8:1 8:21,25 9:3,20 13:10 15:25 21:1 21:1,22 Three 23:9 TIM 1:23 time 3:10 6:5,8 22:17 23:17,18 24:22 TINALOUISE 1:17 Tobias 20:14 today 7:13 10:2,3 12:16 14:18 15:23 24:3 TODD 1:10 TOLHURST 1:19 topic 2:5 3:14 5:7 5:21,23 6:24 7:1 7:20 8:4,25 10:22	10:23 12:20,24 15:3,11 topics 5:25 6:19,20 6:22 Traynor 19:4 two 4:7 6:22 8:2 9:21 10:21 17:9 23:7 <hr/> U <hr/> unanimously 16:11 18:13 19:24 uncompensated 19:8 20:19 United 23:13 use 5:12 U.S 1:1 3:4 <hr/> V <hr/> Valerie 20:12 various 7:22 version 14:24 15:21 Vice 5:15 9:22 view 5:18 7:16 viewpoint 21:19 viewpoints 21:23 violence 5:17,19 vote 4:17 7:15,25 8:2 9:20 10:3,13 10:15 11:23,23,24 12:4,9,15 13:23 14:25 16:1 22:13 23:23 24:4 voted 10:7 24:20 voting 9:1 12:2 <hr/> W <hr/> Wade 20:12 want 12:20 13:7,12 13:16 14:4,10 16:25 23:19 wanted 9:23 13:8 23:11 Washington 1:7 3:8 way 13:18 14:3 24:10	Webb 20:12 week 15:23 well-qualified 21:18 went 9:7 24:11 weren't 7:23 we're 8:3,12,15,15 10:18 11:5 13:23 17:23 18:1 We've 7:8 William 18:25 willing 12:18 wind 21:15 woman 21:12,14 women 21:9 wouldn't 9:3 12:5 WRIGHT 1:20 <hr/> Y <hr/> Yaki 8:20 9:11,25 13:10 year 8:11,18 yesterday 23:12 <hr/> 1 <hr/> 10 2:12 22:15 10th 22:18 11 14:18 11th 14:21 15th 14:24 16 2:6 16th 18:19 20:4 18 2:9,10 <hr/> 2 <hr/> 2:00 1:7 2:10 3:2 2:11 3:5 2:30 25:3 20 2:11 20th 5:8,22 16:19 2010 1:5 3:5 5:21 5:22 16:19 2011 2:5 3:13 5:7 5:10 6:1,21 7:2 22 2:12 22nd 15:1 16:1 24 1:5
---	--	---	---	--

24th 3:5

3

3:30 6:11

4

4 2:3

4th 15:25

5

5 2:4,5

5th 4:16

540 1:7 3:8

6

624 1:7 3:8

7

7 5:21

9

9th 3:8